



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110

Mailing Date: January 22, 2019

Dave Maass
MuckRock
Dept MR 65856
411A Highland Ave
Somerville, Massachusetts 02144-2516

PSP/RTKL Request N° 2018-1146

Dear Mr. Maass:

On December 13, 2018, the Pennsylvania State Police (PSP) received your request for information pursuant to Pennsylvania's Right-to-Know Law (RTKL), 65 P.S. §§ 67.101 - 67.3104, wherein you wrote:

I hereby request the following records:

- 1) The names of agencies and organizations with which the Agency shares ALPR data;
- 2) The names of agencies and organizations from which the Agency received ALPR data;
- 3) The names of agencies and organizations with which the Agency shares "hot list" information;
- 4) The names of agencies and organizations from which the Agency receives "hot list" information;

This information is easily available within the Agency's LEARN system. The simplest way to extract this data is to generate an "Agency Data Sharing Report" PDF file from within LEARN. To do this, a user may simply go to the "Sharing" section of LEARN and select "Output Report." A CSV/XLS file containing these records would also satisfy this request.

The instructions for extracting this data is described on pages 62-63 of the LEARN Agency Manager Guide, which may be found at this link:

https://www.documentedcloud.org/documents/3860685-LEARN-5-1-Agency-Manger_Guide.html

An example of this record may be found at this link:

<https://www.documentcloud.org/documents/3936113-Palos-Verdes-Estates-Police-Department-Date.html>

A number of other agencies have regularly determined the above information constitutes a public record and have provided an "Agency Data Sharing Report." These agencies include:

Anaheim Police Department, Antioch Police Department, Bakersfield Police Department, Chino Police Department, Clovis Police Department, Elk Grove Police Department, Fontana Police Department, Fountain Valley Police Department, Glendora Police Department, Hawthorne Police Department, Irvine Police Department, Livermore Police Department, Lodi Police Department, Long Beach Police Department, Montebello Police Department, Orange Police Department, Palos Verdes Estates Police Department, Red Bluff Police Department, Sacramento Police Department, San Bernardino Police Department, San Diego Police Department, San Rafael Police Department, San Ramon Police Department, Simi Valley Police Department, and the Tulare Police Department.

We further request the following records

The aggregate number of "detections" (i.e. license plate scans and associated data) collected during 2016.

The aggregate number of detections collected during 2017.

The aggregate number of detections collected during 2018.

The aggregate number of "hits" (i.e. times that a plate on a hotlist was detected) during 2016.

The aggregate number of "hits" during 2017.

The aggregate number of "hits" during 2018.

This information is easily available within the Agency's LEARN SYSTEM. The simplest way to extract this data is to generate a "Dashboard Hit Ratio Report" PDF file from within LEARN. We would prefer the data for each year to be provided separately.

An example of this document may be found at:

<https://www.documentcloud.org/documents/3870802-Sacramento-PD-Hit-Ratio-Rpt-010112-051917-Redacted.html>

The instructions for extracting this data is described on pages 78-79 of the LEARN Agency Manager Guide, which may be found at this link:

<https://www.documentcloud.org/documents/3860685-learn-5-1-Agency-Manger-Guide.html>

The following agencies have regularly determined the above information constitutes a public record and have provided an "Dashboard Hit Ratio Report." These agencies include: Anaheim Police Department; Bakersfield Police Department; Chino Police Department; Clovis Police Department; Elk Grove Police Department; Fontana Police Department; Irvine Police Department; La Habra Police Department; Laguna Beach Police Department; Lodi Police Department; Sacramento Police Department; San Diego Police Department; San Ramon Police Department; and the Red Bluff Police Department.

The requested documents will be made available to the general public and this request is not being made for commercial purposes.

A copy of your request is enclosed. By letter dated December 20, 2018, you were notified in accordance with RTKL section 67.902(b) that PSP required an additional thirty days to prepare this final response to your request.

In response to items 2 and 4, your request is granted. The Pennsylvania State Police Auto Theft Task Force receives information from the National Crime Insurance Bureau (NICB). The PSP receives "hot list" information from the service provider of the ALPR system. The service provider is Secure Watch 24. Secure Watch 24 has licensing agreements for the ALPR units to obtain the hot list from Mission Critical 911, who is contracted through Penn Dot to provide the "hot list" for the ALPR systems.

In response to items 1, 2, the aggregate number of detections during the years of 2016, 2017, and 2018, and the aggregate number of "hits," during the years of 2016, 2017, and 2018, the PSP determined it does not have any records in its possession, custody, or control that respond to your request. A supporting verification confirming this assertion accompanies this final response letter. Pursuant to the decision in *Jenkins vs. Pennsylvania Department of State*, "It is not a denial of access when an agency does not possess records and [there is no] legal obligation to obtain them (see, e.g. section 67.506 (d)(1))." *Jenkins vs. Pa. Dep't of State*, Docket No. AP 2009-065 (available at, <http://openrecords.state.pa.us>). Please be advised that our office contacted the PSP Bureau of Criminal Investigation, Special Investigations Division, and the PSP Bureau of Patrol and were advised the PSP Auto Theft Task Force and the PSP Commercial Vehicle Safety Division (CVSD) do not share ALPR data with any agency or organization. Furthermore, The PSP Auto Theft Task Force and the PSP Commercial Vehicle Safety Division (CVSD) do not share "hot list" information. Lastly, the PSP does not retain any data collected by the plate readers; therefore, PSP would not have any data pertaining to the number of detections or "hits" for the years of 2016, 2017, and 2018.

To the extent that your request seeks or may be construed to seek records pertaining to covert law enforcement investigations, including, intelligence gathering and analysis, the PSP can neither confirm nor deny the existence of such records without risk of compromising investigations and imperiling individuals. Under No Circumstances, therefore, should this final response be interpreted as indicating

otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under the RTKL and Criminal History Record Information Act, 18 Pa. C.S. §§ 9101-9183.

In closing, you have a right to appeal this response in writing to the Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17126-0333. The appropriate OOR appeal form is available for your use at, <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>. If you choose to appeal, you must do so within 15 business days of the mailing date of this response, and send to the OOR: 1) this response; 2) your request; 3) the reason or reasons why you think PSP wrongfully denied your access to the requested records. *(a statement identifying any flaws in the reasons provided above as to why a requester is not subject to access the requested records under the RTKL).*

If you have any questions, please feel free to contact our office at the telephone number listed below.

Sincerely,



Kim Grant
Deputy Agency Open Records Officer
Pennsylvania State Police
Bureau of Records & Identification
Right-to-Know Law/Subpoena Section
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110
RA-psprighttoknow@pa.gov
1.877.785.7771 (Main) | 717.525.5795 (Fax)

Enclosures: RTK Request, Tracking N° 2018-1146
Grant Verification

PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS

VERIFICATION OF
KIM GRANT
DEPUTY AGENCY OPEN RECORDS OFFICER

I, Kim Grant, Deputy Agency Open Records Officer of the Pennsylvania State Police (PSP or Department), am authorized to prepare this verification on the Department's behalf in response to PSP/RTKL Request N° 2018-1146. Accordingly, on this 22nd day of January, 2019, I verify the following facts to be true and correct, to the best of my knowledge or information and belief:

1. I am familiar with PSP/RTKL Request N° 2018-1146, which is attached to this verification.
2. Utilizing the information provided, I searched all Departmental databases, to which I have access, for evidence of any PSP records that may respond.
3. In response to items 2 and 4, the requestor was advised, the Pennsylvania State Police Auto Theft Task Force receives information from the National Crime Insurance Bureau (NICB). The PSP receives "hot list" information from the service provider of the ALPR system. The service provider is Secure Watch 24. Secure Watch 24 has licensing agreements for the ALPR units to obtain the hot list from Mission Critical 911, who is contracted through Penn Dot to provide the "hot list" for the ALPR systems.
4. In response to items 1, 2, the aggregate number of detections during the years of 2016, 2017, and 2018, and the aggregate number of "hits," during the years of 2016, 2017, and 2018, PSP determined that it does not have any records responsive to the RTKL request in its possession, custody, or control.
5. The requestor was advised that our office contacted the PSP Bureau of Criminal Investigation, Special Investigations Division, and the PSP Bureau of Patrol and were advised the PSP Auto

Theft Task Force and the PSP Commercial Vehicle Safety Division (CVSD) do not share ALPR data with any agency or organization. Furthermore, The PSP Auto Theft Task Force and the PSP Commercial Vehicle Safety Division (CVSD) do not share "hot list" information. Lastly, the PSP does not retain any data collected by the plate readers; therefore, PSP would not have any data pertaining to the number of detections or "hits" for the years of 2016, 2017, and 2018.

I understand that false statements made in this verification are subject to penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



Kim Grant
Deputy Agency Open Records Officer
Pennsylvania State Police

2018-1146
12-20-18

Grant, Kimberly A

From: 65856-88177351@requests.muckrock.com
Sent: Thursday, December 13, 2018 3:17 PM
To: SP, PSP RIGHT TO KNOW
Subject: [External] Pennsylvania Right to Know Act Request: Vigilant Data Sharing Information - 2018 - Assignment Submission (Pennsylvania State Police)
Attachments: PA_Right_to_Know_Request_Form_r4o2BXR.pdf

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.

Pennsylvania State Police
RTK Office
1800 Elmerton Avenue
Harrisburg, PA 17110

December 13, 2018

To Whom It May Concern:

Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:

- 1) The names of agencies and organizations with which the Agency shares ALPR data;
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Police Department, San Diego Police Department, San Rafael Police Department, San Ramon Police Department, Simi Valley Police Department, and the Tulare Police Department.

We further request the following records

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The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Dave Maass

Filed via MuckRock.com

E-mail (Preferred): 65856-88177351@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/pennsylvania-state-police-435/vigilant-data-sharing-information-2018-assignment-submission-pennsylvania-state-police-65856/?uuid-login=76b42acc-9213-4297-821d-b53a92da0305&email=RA-psprighttoknow%40pa.gov#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

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RIGHT-TO-KNOW LAW OFFICE
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2018 DEC 13 PM 3:27

For mailed responses, please address (see note):

MuckRock News
DEPT MR 65856
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



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SUBPOENA UNIT

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STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 2018-12-13

REQUEST SUBMITTED BY: ☒ E-MAIL ☐ U.S. MAIL ☐ FAX ☐ IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Pennsylvania State Police

1800 Elmerton Avenue, Harrisburg, PA 17110

NAME OF REQUESTER : Dave Maass

STREET ADDRESS: Dept MR 65856 411A Highland Ave

CITY/STATE/COUNTY/ZIP(Required): Somerville, MA 02144-2516

TELEPHONE (Optional): _____ EMAIL (optional): 65856-88177351@requests.muckrock.com

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information.
Please use additional sheets if necessary*

See Attached

DO YOU WANT COPIES? ☒ YES ☐ NO

DO YOU WANT TO INSPECT THE RECORDS? ☐ YES ☒ NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? ☐ YES ☒ NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100? ☒ YES ☐ NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

☐ I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*